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MMM VENTURES LTD.,	:	
	:	
Plaintiff,	:	08 Civ. _____
	:	
- against -	:	ECF CASE
	:	
NEPTUNE SHIPPING SA,	:	
	:	
Defendant.	:	
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Plaintiff, MMM VENTURES LTD., (hereinafter “Plaintiff”), by and through its attorneys, Lennon, Murphy & Lennon, LLC, as and for its Verified Complaint against the Defendant, NEPTUNE SHIPPING SA (hereinafter “Defendant”), alleges, upon information and belief, as follows:

2. At all times material to this action, Plaintiff was, and still is, a foreign corporation, or other business entity organized and existing under foreign law.

4. Upon information and belief, Defendant was, and still is, a foreign corporation, or other business entity organized and existing under foreign law.

5. By a charter party dated November 24, 2006, the Plaintiff time chartered the Vessel to Defendant.

6. In accordance with the Charter Party, Defendant was to pay hire at the rate of "USD \$28,000.00 daily including overtime payable 15 days in advance."

7. During the course of the charter, disputes arose between the parties regarding Defendant's failure to pay hire due and owing to Plaintiff under the charter party.

8. As a result of Defendant's breach of the charter party, Plaintiff sustained damages in the principal amount of \$814,549.79, exclusive of interest, arbitration costs and attorneys fees. *See invoice detailing principal amount owed annexed hereto as Exhibit "1."*

9. Pursuant to the charter party, all disputes arising thereunder were to be submitted to arbitration in London with English Law to apply.

10. Plaintiff will commence arbitration after the commencement of this action and jurisdiction is obtained over Defendant.

11. This action is brought in order to obtain jurisdiction over Defendant and also to obtain security for Plaintiff's claims and in aid of arbitration proceedings.

12. Interest, costs and attorneys' fees are routinely awarded to the prevailing party under English Law. Section 63 of the English Arbitration Act of 1996 specifically allows for recovery of these items as part of an award in favor of the prevailing party. As best as can now be estimated, Plaintiff expects to recover the following amounts at arbitration as the prevailing party:

A.	Principal claim:	\$814,549.79
B.	Estimated interest on claim - 3 years at 7.0% compounded quarterly:	\$188,518.85

C. Estimated arbitration costs, attorneys fees and expenses:	\$175,000.00
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<b>Total:</b>	<b>\$ 1,178,068.64</b>
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13. The Defendant cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, but, upon information and belief, Defendant has, or will have during the pendency of this action, assets within this District and subject to the jurisdiction of this Court, held in the hands of one or more garnishees which are believed to be due and owing to the Defendant.

14. The Plaintiff seeks an order from this court directing the Clerk of Court to issue Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, attaching, *inter alia*, any property of the Defendant held by any garnishee within the District for the purpose of obtaining personal jurisdiction over the Defendant, and to secure the Plaintiff's claims as described above.

**WHEREFORE**, Plaintiff prays:

A. That process in due form of law issue against the Defendant, citing it to appear and answer under oath all and singular the matters alleged in the Verified Complaint;

B. That the Court retain jurisdiction to compel the Defendant to arbitrate in accordance with the United States Arbitration Act, 9 U.S.C. § 1 *et seq.*;

C. That pursuant to 9 U.S.C. §§ 201. *et seq.* and/or the doctrine of comity this Court recognize and confirm any arbitration award and/or judgment rendered on the claims had herein as a Judgment of this Court;

D. That since the Defendant cannot be found within this District pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, this Court issue an Order directing the Clerk of Court to issue Process of Maritime Attachment and Garnishment

pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, attaching all tangible or intangible property of the Defendant within the District, including but not limited to any funds held by any garnishee, which are due and owing to the Defendant, up to the amount **\$1,178,068.64** to secure the Plaintiff's claims, and that all persons claiming any interest in the same be cited to appear and pursuant to Supplemental Admiralty Rule B answer the matters alleged in the Complaint;

E. That in the alternative, this Court enter Judgment against Defendant on the claims set forth herein;

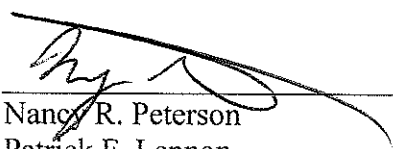
F. That this Court retain jurisdiction over this matter through the entry of any judgment or award associated with any of the claims currently pending, or which may be initiated in the future, including any appeals thereof;

G. That this Court award Plaintiff its attorney's fees and costs of this action; and

H. That the Plaintiff have such other, further and different relief as the Court may deem just and proper.

Dated: April 21, 2008  
Southport, CT

The Plaintiff,  
MMM VENTURES LTD.,

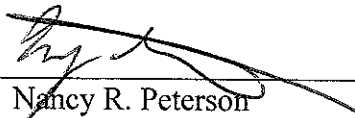
By:   
Nancy R. Peterson  
Patrick F. Lennon  
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[nrp@lenmur.com](mailto:nrp@lenmur.com)  
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**ATTORNEY'S VERIFICATION**

State of Connecticut    )  
                                  )       ss.:    Town of Southport  
County of Fairfield    )

1.     My name is Nancy R. Peterson.
2.     I am over 18 years of age, of sound mind, capable of making this  
Verification, and fully competent to testify to all matters stated herein.
3.     I am an attorney in the firm of Lennon, Murphy & Lennon, LLC, attorneys for the  
Plaintiff.
4.     I have read the foregoing Verified Complaint and know the contents  
thereof and believe the same to be true and accurate to the best of my knowledge, information  
and belief.
5.     The reason why this Verification is being made by the deponent and not  
by the Plaintiff is that the Plaintiff is a business organization with no officers or directors now  
within this District.
6.     The source of my knowledge and the grounds for my belief are the  
statements made, and the documents and information received from, the Plaintiff and agents  
and/or representatives of the Plaintiff.
7.     I am authorized to make this Verification on behalf of the Plaintiff.

Dated:       April 21, 2008.  
              Southport, CT

  
\_\_\_\_\_  
Nancy R. Peterson

## EXHIBIT “1”

22nd C/hire as of 18 April 2008  
MV CMB Yangtze / Neptune  
C/P 24 November 2006

	DELY: 9:45 GMT 29-05-07	US\$	US\$
REDELY: 9:45 GMT 23-04-08			
TOTAL 330.00000 DAYS #####		#####	
ADD: GROSS BALLAST BONUS			
LESS: 3.75% ADDRESS COMMISSION			346,500.00
LESS: BROKERAGE COMMISSION			
ADD: BUNKERS ON DELIVERY			
IFO 96.158 MT \$ 379.50		36,491.96	
MDO 18.758 MT \$ 672.50		12,614.76	
LESS: BUNKERS ON REDELIVERY			
IFO 145.00 MT \$ 505.00		73,225.00	
MDO 70.00 MT \$ 980.00		68,600.00	
ADD: CABLES/VICTUALLING			
330.000 DAYS X \$ 1,400.00 /MONTH		15,189.07	
ADD: ITHC SHANGHAI/N.ORLEANS - STEEL PIPES		2,500.00	
ADD: ITHC DAVANT/JORF LASFAR - STEAM COAL		2,500.00	
ADD: ITHC N.ORLEANS/MOKPO - BULK YELLOW CORN		2,500.00	
ADD: ITHC SURIGAO/JIANGYIN - NICKEL ORE		2,500.00	
ADD: ITHC RIZHAO/PORT HARCOURT - BULK CEMENT		4,500.00	
ADD: ILOHC		4,500.00	
ADD: ADDITIONAL WAR RISK PREMIUM FOR PORT HARCOURT		278,100.00	
ADD: STEVEDORE DAMAGE - GANGWAY		6,800.00	
ADD: CLEANING MATERIAL		1,184.00	
ADD: STEVEDORE DAMAGE - HULL (TEMPORARY REPAIRS)		7,900.00	
ADD: STEVEDORE DAMAGE - HULL (PERMANENT REPAIRS)		20,000.00	
ADD: MOORING ROPES		59,400.00	
LESS: ON-HIRE SURVEY			400.00
ADD: OFF-HIRE SURVEY AT HCMC			
LESS: 1ST C/HIRE RECEIVED ON 06JUN2007		454,059.72	
LESS: 2ND C/HIRE RECEIVED ON 14JUN2007		404,950.00	
LESS: 3RD C/HIRE RECEIVED ON 28JUN2007		404,950.00	
LESS: 4TH C/HIRE RECEIVED ON 16JUL2007		404,950.00	
LESS: 5TH C/HIRE RECEIVED ON 27JUL2007		404,950.00	
LESS: 6TH C/HIRE RECEIVED ON 10AUG2007		404,950.00	
LESS: 7TH C/HIRE RECEIVED ON 28AUG2007		404,950.00	
LESS: 8TH C/HIRE RECEIVED ON 12SEP2007		407,450.00	
LESS: 9TH C/HIRE RECEIVED ON 26SEP2007		404,450.00	
LESS: 10TH C/HIRE RECEIVED ON 10OCT2007		404,450.00	
LESS: 10TH C/HIRE RECEIVED ON 15OCT2007		3,500.00	
LESS: 11TH C/HIRE RECEIVED ON 26OCT2007		405,350.00	
LESS: 12TH C/HIRE RECEIVED ON 13NOV2007		404,950.00	
LESS: 13TH C/HIRE RECEIVED ON 28NOV2007		407,450.00	
LESS: 14TH C/HIRE RECEIVED ON 10DEC2007		378,251.43	
LESS: 14TH C/HIRE RECEIVED ON 11DEC2007		26,698.57	
LESS: 15TH C/HIRE RECEIVED ON 27DEC2007		404,950.00	
LESS: 16TH C/HIRE RECEIVED ON 09JAN2008		404,950.00	
LESS: 17TH C/HIRE RECEIVED ON 25JAN2008		404,950.00	
LESS: 18TH C/HIRE RECEIVED ON 11FEB2008		404,950.00	
LESS: 19TH C/HIRE RECEIVED ON 22FEB2008		404,950.00	
LESS: 20TH C/HIRE RECEIVED ON 10MAR2008		409,364.83	
LESS: 21ST C/HIRE RECEIVED ON 26MAR2008		169,927.39	
LESS: 22ND C/HIRE RECEIVED ON 09APR2008		63,053.06	

9,696,679.79 8,882,130.00

BALANCE DUE TO OWNERS (CHARTERER)

814,549.79

9,696,679.79 9,696,679.79

OWNERS BANK DETAILS AS FOLLOWS :-

ACCOUNT NAME : HERITAGE SHIPPING LTD  
USD A/C NO. : 400-323622-274  
BENEFICIARY BANK : THE HONGKONG AND SHANGHAI BANKING CORP  
SWIFT CODE : HSBCHKHHKH  
BANK ADDRESS : 1 QUEEN'S ROAD, CENTRAL, HONG KONG  
REFERENCE : MV CMB YANGTZE / NEPTUNE